

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

JOY L. JUNAS,) 3:11-cv-00566-ECR-WGC
Plaintiff,)
vs.) Order
ADVANTIX LENDING INC.; FIDELITY)
NATIONAL TITLE; RECONSTRUCT)
COMPANY, N.A.; BAC HOME LOANS)
SERVICING, LP; FIRST AMERICAN)
TITLE COMPANY; CHARLOTTE OLMOS;)
and DOES 1-25 CORPORATIONS, DOES)
and ROES 1-25 Individuals,)
Partnerships, or anyone claiming)
any interest to the property)
described in the action,)
Defendants.)

On February 10, 2012, Defendant Fidelity National Title ("Fidelity") filed an Offer of Judgment (#20) dated November 21, 2011. Before Defendant Fidelity filed its Offer of Judgment (#20) with the Court, on November 30, 2011, Plaintiff filed a Notice of Acceptance (#16) accepting the Offer of Judgment made by Defendant Fidelity.

Defendant Fidelity's Offer of Judgment (#20) states that Defendant Fidelity offers to allow judgment to be entered against it in this action in the amount of ten dollars (\$10.00), each party to bear its own attorneys' fees and costs. Plaintiff's Notice of

1 Acceptance (#16), however, states that Plaintiff accepts the Offer
2 of Judgment (#20) with an understanding that it allows Plaintiff to
3 take judgment in this action "against defendants, , and , [sic]
4 jointly and severally, in the amount of TEN dollars and 00/100
5 (\$10.00)." Plaintiff further states that she "stipulates and agrees
6 that the Court may forthwith enter the Judgment accordingly."
7 However, the Offer of Acceptance (#20) does not purport to be on
8 behalf of any Defendant other than Fidelity.

9 Federal Rule of Civil Procedure 54 provides that:
10 when multiple parties are involved, the court may
11 direct entry of a final judgment as to one or more,
12 but fewer than all, claims or parties only if the
13 court expressly determines that there is no just
14 reason for delay. Otherwise, any order or other
15 decision, however designated, that adjudicates fewer
16 than all the claims or the rights and liabilities of
17 fewer than all the parties does not end the action as
18 to any of the claims or parties and may be revised at
19 any time before the entry of a judgment adjudicating
20 all the claims and all the parties' rights and
21 liabilities.

22 The Offer of Judgment (#20) and Notice of Acceptance
23 (#16) do not dispose of all claims and all parties in the
24 action, and there has been no showing under Rule 54 that
25 there is no just reason of why judgment should be entered
26 with respect to this one defendant.

1 IT IS, THEREFORE, HEREBY ORDERED that Defendant Fidelity
2 National Title's Offer of Judgment (#20) is deemed accepted by
3 Plaintiff, but judgment will not be entered at this time.

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6 DATED: February 15, 2012.

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8 UNITED STATES DISTRICT JUDGE